

United States
Department of the Interior
Bureau of Land Management

Miles City Field Office

Drop Dam Allotment
Grazing Renewal

Environmental Assessment (EA)
DOI-BLM-MT-C020-2013-0078-EA

For Further Information Please Contact:

Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301
406-233-2800

BLM



PROPOSED ACTION: The proposed action is to issue the grazing permit for the Drop Dam allotment (#00572) and issue it for a term of ten years, March 1, 2013 through February 28, 2023. The grazing permit would be issued as follows:

GR# 2503929

Allotment	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
Drop Damp Allot. (#00572)	85	Cattle	06/01	07/17	65	Active	85

Total Active AUMs: 85

Terms and Conditions:

- Grazing in accordance with signed Drop Dam CRMP revised 02/19/03.
- Actual use report is due 15 days after grazing has ended in the CRMP pasture; or permittee will be billed for the total preference and actual use will be required.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Miles City Field Office

111 Garryowen Road

Miles City, Montana 59301-7000

www.blm.gov/mt

In Reply Refer To:
4100 (MTC021)
GR#2503929

May 08, 2013

William Kennedy
681 Speelmon Crk. Rd
Ekalaka, MT 59324

Certified Mail No: 70113500000345173866
Return Receipt Requested

NOTICE OF PROPOSED DECISION

BACKGROUND

The Drop Dam Allotment (# 00572) is located within the C&B Grazing District, approximately twenty-five miles southwest of Ekalaka located on the Chalk Butte Road in Carter County. The Drop Dam Allotment consists of 435 acres of land managed by the BLM containing 85 AUMs of authorized active use, along with 200 private acres part of the C&B grazing district containing 46 AUMs.

The allotment was assessed "in house" for and met Land Health Standards in July 1999. William Kennedy submitted a warranty deed for the base property for the Drop Dam Allotment. In addition, they submitted Form 4130-1 (Grazing Application-Grazing Schedule), Form 4130-1a (Grazing Application-Preference Summary), Form 4130-1b (Grazing Application-Supplemental Information), and Form 4120-8 (Assignment of Range Improvements).

In January 2013, a Miles City Field Office BLM interdisciplinary team initiated an Environmental Assessment (DOI-BLM-MT-C020-2013-0078-EA) to analyze the issuance of the grazing permit to William Kennedy for the above mentioned allotment. The Finding of No Significant Impact (FONSI) was signed by the authorized officer on 04/15/2013.

PROPOSED DECISION

Therefore, it is my proposed decision to issue a grazing permit, which would authorize the grazing of the Drop Dam Allotment (#00572) to William Kennedy. The permit would be issued for a ten year term from March 01, 2013 through February 28, 2023. The permit would be issued as follows:

GR# 2503929

Allotment Name & Number	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
Drop Dam Allot. (#00572)	85	Cattle	06/01	07/17	65	Active	85

Total Active AUMs: 85

Terms and Conditions:

- Grazing in accordance with signed Drop Dam CRMP revised 02/19/03.
- Actual use report is due 15 days after grazing has ended in the CRMP pasture: or permittee will be billed for the total preference and actual use will be required.

RATIONALE

The issuance of the grazing permit is provided through a deed showing control of the base property for this allotment being submitted to the BLM. The deed contains the legal descriptions of the base property associated with this allotment.

Upon receiving all forms, the Miles City BLM Field Office interdisciplinary team initiated an Environmental Assessment (DOI-BLM-MT-C020-2013-0078-EA) to analyze the issuance of the grazing permit for the allotment. The Finding of No Significant Impact (FONSI) was signed by the authorized officer on 04/15/2013. Existing information indicates the allotment is meeting the Standards for Rangeland Health (43 CFR 4180).

The BLM determined that William Kennedy meets the qualifications to be an applicant to hold the grazing permit. The issuance of the permit complies with 43 CFR §4110.1, 4110.2-1, and 4110.2-2.

AUTHORITY

The following sections of the Code of Federal Regulations, Chapter 43, provide authority for the actions proposed in this grazing decision. The language of the cited sections can be found at a library designated as a federal depository or at the following web address:

http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/im_attachments/2007.Par.69047.File.dat/IM2007-137_att1.pdf

§4110.1 Mandatory qualifications

§4110.2-1 Base property.

§4110.2-2 Specifying permitted use.

§4130.2 Grazing permits or leases

§ 4120.2 Allotment management plans and resource activity plans.

§ 4120.3–2 Cooperative range improvement agreements.

§4130.3 Terms and conditions

§4130.3-1 Mandatory terms and conditions

§4130.3-2 Other terms and conditions

§4130.3-3 Modification of permits and leases

§4160.1 Proposed decisions

§4160.2 Protests

§4160.3 Final decisions

§4160.4 Appeals

RIGHT OF PROTEST AND APPEAL

Protest:

Any applicant, permittee, lessee, or other affected interest may protest a proposed decision under Sec. 43 CFR§4160.1. Any protest shall be made in person or in writing within 15 days after receipt of this proposed decision to:

Todd D. Yeager, Field Manager
Bureau of Land Management, Miles City Field Office
111 Garryowen Road
Miles City, MT 59301

The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error. In the absence of a protest, the proposed decision will become my final decision without further notice.

Appeal:

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.4. The appeal may be

accompanied by a petition for stay of the decision in accordance with CFR 4.21 9 and 43 CFR 4.471, pending final determination of an appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final (43 CFR 4160.4).

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise comply with the provisions of 43 CFR 4.470, which is available from the BLM office for your use in a BLM office.

The appeal, or the appeal and petition for stay, must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Miles City Field Office as noted above. The BLM does not accept appeals by facsimile or email.

In accordance with 43 CFR§4.21(b) (1), a petition for stay, if filed, must show sufficient justification based on the following standards:

- 1) The relative harm to the parties if the stay is granted or denied.
- 2) The likelihood of the appellant's success on the merits.
- 3) The likelihood of immediate and irreparable harm if the stay is not granted.
- 4) Whether the public interest favors granting the stay.

ENCLOSURES FOR REPLY

Find enclosed two copies of your grazing permit. Please sign both copies and promptly return them both to the Miles City Field Office. Once officially signed by the authorized officer, you will be provided with a signed copy for your records.

Also enclosed is a copy of your BLM allotment map. Review the enclosed map and notify this office of any inaccuracies. Please mark fenceline locations and return the edited map to the office.

If you have any questions on this document please contact Merle Blankenship, Rangeland Management Specialist, at (406) 233-2835 or Reyer Rens, Supervisory Rangeland Management Specialist, at (406) 233-2866.

Sincerely,



Todd D. Yeager
Field Manager

Enclosed:

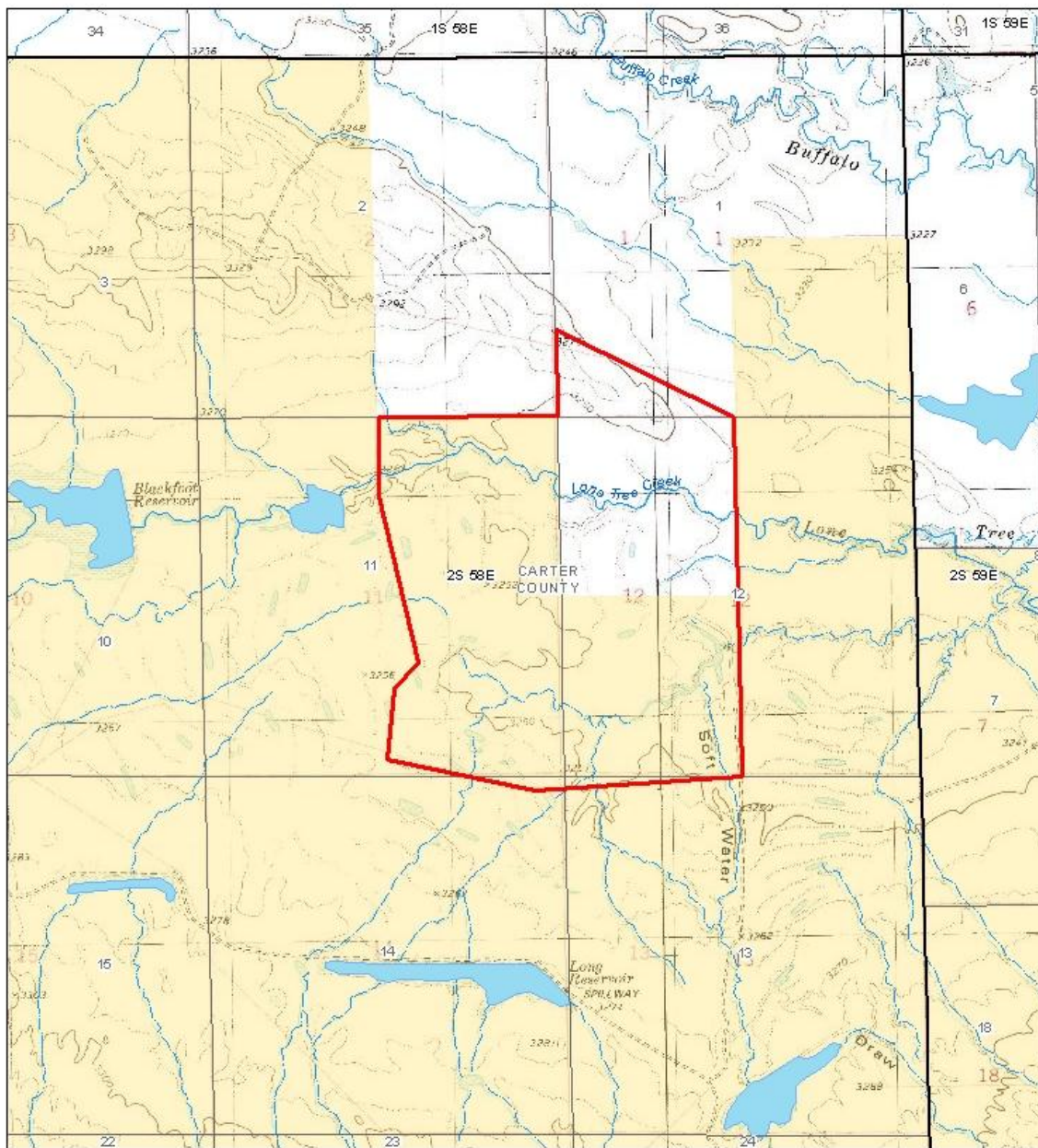
- 1) BLM Grazing Permit (2 copies: please sign and return to the Miles City Field Office)
- 2) Allotment Map

Blankenship:lrn:5/3/13:Drop_Dam_Allotment_130416_Blankenship_2013



Drop Dam Allotment #00572

26 June 2016



Projected Coordinate System: NAD 1983 Albers
Geographic Coordinate System: GCS North American 1983
Datum: D North American 1983

1:24,000

0 0.07 0.15 0.3 0.45 0.6 Miles



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MILES CITY FIELD OFFICE

CAUTION:
This allotment was established from a
survey conducted prior to 1908 and is subject to
survey. Therefore, this allotment may not be
the same as the original survey. For more information,
see the allotment description and the allotment
description.

All allotments are subject to the terms and conditions of the allotment
description and the allotment description.

Drop Dam Allot Boundary